



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1.41.
12.3.02
#10 / Election
21

Application of: Michael L. Boyer II *et al.*

Application No.: 09/814,224

Group Art Unit: 3738

Filed: March 22, 2001

Examiner: A. Stewart

For: MULTIPIECE IMPLANTS FORMED OF
BONE MATERIAL

Attorney Docket No.: 8932-226-999

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

RECEIVED

DEC - 2 2002

TECHNOLOGY CENTER R3700

Sir:

In response to the Office Action mailed August 27, 2002, Applicants submit herewith a clean copy of the claims that will be pending as of entry of the instant amendment, attached hereto as Exhibit A.

Please enter the following amendment and remarks into the file of the above-identified application:

In the Claims

Please cancel claim 24.

Done by
adada

Remarks

In response to the election/restriction requirement, Applicants provisionally elect Species II, Figs. 1J-1K for prosecution in this application, with the understanding that the claims shall be restricted to this species only if no claim that is generic to other species is finally held to be allowable. Applicants reserve the right to file divisional applications to protect the inventions of the other species or figures in the application.

With respect to the species restriction, Applicants traverse this requirement to the extent that it does not completely set forth the species found in the present application and/or is vague. Specifically, the Examiner set forth nineteen allegedly distinct species in the Office Action (Species I-XIX), corresponding to one or more of the figures. However,